

1 HONORABLE JAMES L. ROBART
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7 UNITED STATES DISTRICT COURT
8 FOR THE WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 SUPERCELL OY,

11 Plaintiff,

12 v.

13 ROTHSCCHILD DIGITAL MEDIA
14 INNOVATIONS, LLC,

15 Defendant.

16 Case No. 2:15-cv-01119-JLR

17 **STIPULATION AND ~~PROPOSED~~
18 ORDER OF DISMISSAL**

19 **STIPULATION**

20 Plaintiff Supercell OY (“Supercell”) and Defendant Rothschild Digital Media Innovations,
21 LLC (“RDMI”) hereby enter into this Stipulation, subject to the approval of the Court.

22 WHEREAS:

23 1. On July 13, 2015, Supercell filed a Complaint against RDMI seeking declaratory
24 judgment of non-infringement under 28 U.S.C. §§ 2201 and 2202 of U.S. Patent No.
25 6,101,534 (the '534 patent).
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27 2. On June 9, 2016, RDMI filed a motion to stay the case pending *inter partes* review of
the '534 patent.

28 STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL
Case No. 2:15-cv-01119-JLR

3. On July 18, 2016, RDMI served amended infringement contentions alleging
2 infringement of claims 1, 6-9, 21, and 23-24 of the '534 patent.
4. On July 28, 2016, the Court granted RDMI's motion to stay pending *inter partes*
review.
5. On September 26, 2016, the PTAB issued its Final Written Decision pursuant to 35
6 U.S.C. §318(a), finding Petitioner Sony Computer Entertainment America, LLC had
7 shown, by a preponderance of the evidence that claims 1, 6-9, and 21-24 of the '534
8 Patent are unpatentable.
9. On March 12, 2018, the Supreme Court of the United States denied RDMI's petition
10 for writ of certiorari.
11. All claims asserted against Supercell by RDMI have been found unpatentable by the
12 PTAB.
13. RDMI hereby agrees to a covenant not to sue Supercell on any of the remaining claims
14 of the '534 patent on any product currently offered or previously offered by Supercell,
15 or any product offered by Supercell in the future.
16. Therefore, the parties have agreed to dismiss all claims asserted by Supercell against
17 RDMI and all counterclaims asserted by RDMI against Supercell with prejudice. Each
18 party will bear its own expenses and costs.

21 IT IS HEREBY STIPULATED AND AGREED by the undersigned attorneys for the
22 parties that, pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the above-
23 referenced case should be DISMISSED with prejudice and without an award of costs or fees to any
24 party.

26 Stipulated to and presented on this 12th day of June, 2018.
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28 STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL
Case No. 2:15-cv-01119-JLR

1 Presented by,

2 Dated: June 12, 2018

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18 Dated: June 12, 2018

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27 Innovations, LLC*

28 Dated: June 12, 2018

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37 STIPULATION AND ~~PROPOSED~~
38 ORDER OF DISMISSAL
39 Case No. 2:15-cv-01119-JLR

ORDER

The parties having so stipulated and agreed, it is hereby SO ORDERED. The above-referenced case is hereby DISMISSED with prejudice and without an award of costs or fees to any party. The Clerk is directed to send copies of this Order to all counsel of record.

DATED this 12th day of June, 2018.

THE HONORABLE JAMES L. ROBART
UNITED STATES DISTRICT COURT JUDGE

STIPULATION AND [PROPOSED]
ORDER OF DISMISSAL
Case No. 2:15-cv-01119-JLR

CERTIFICATE OF SERVICE

I, Sara McPhee, hereby certify that on June 12, 2018, I caused the foregoing **STIPULATION AND [PROPOSED] ORDER OF DISMISSAL** to be served on the following parties as indicated below:

<p>Steven A. Stolle GORDON & POLSBER, LLC 1000 Second Avenue, Suite 1400 Seattle, WA 98104</p> <p><i>Attorneys for Defendant Rothschild Digital Media Innovations, LLC</i></p>	<p><input type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger <input checked="" type="checkbox"/> By Electronic CM/ECF <input type="checkbox"/> By Overnight Express Mail <input type="checkbox"/> By Facsimile <input type="checkbox"/> By Email sstolle@gordon-polser.com</p>
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Dated: June 12, 2018

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